

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

EAGLE BAG CORPORATION, a California
corporation,

Plaintiff,

v.

SMITH SEED SERVICES, an Oregon corporation,

Defendant.

No. C 06-02470 WHA

**REMINDER NOTICE OF
UPCOMING TRIAL AND
FINAL PRETRIAL
CONFERENCE**

SMITH SEED SERVICES, an Oregon corporation,

Counterclaimant,

v.

EAGLE BAY CORPORATION, a
California corporation,

Counterdefendant.


This notice serves as a friendly reminder that this case remains set for a **FINAL PRETRIAL CONFERENCE** on **APRIL 23, 2007**, at **2:00 P.M.**, with a **BENCH TRIAL** on **MAY 7, 2007**. Please consult the existing case management order and review and follow all standing guidelines and orders of the undersigned for civil cases on the Court's website at <http://www.cand.uscourts.gov>. Continuances will rarely be granted.

1 The final pretrial conference will be an important event, for it will be there that the
2 shape of the upcoming trial will be determined, including *in limine* orders, time limits and
3 exhibit mechanics. Lead trial counsel must attend.

4 To avoid any misunderstanding with respect to the final pretrial conference and trial,
5 the Court wishes to emphasize that all filings and appearances must be made — on pain of
6 dismissal, default or other sanction — unless and until a dismissal fully resolving the case is
7 received. It will not be enough to inform the clerk that a settlement in principle has been
8 reached or to lodge a partially executed settlement agreement or to lodge a fully executed
9 agreement (or dismissal) that resolves less than the entire case. Where, however, a
10 fully-executed and unconditional settlement agreement clearly and fully disposing of the entire
11 case is lodged reasonably in advance of the pretrial conference or trial and only a ministerial
12 act remains, the Court will arrange a telephone conference to work out an alternate procedure
13 pending a formal dismissal.

14 In order to evaluate whether the Court can be of further ADR assistance, please file a
15 joint report within fourteen days of service of this order describing the progress and status of
16 your ADR efforts to date and any further ADR recommendations by the parties.

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20 Dated: January 10, 2007.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE